

REMARKS

I. Introduction.

Claims 22, 23 and 25-27 are pending, and stand rejected. Claims 22, 23 and 25-27 were rejected under 35 U.S.C. Section 112, second paragraph, and various claims, or groups of claims were subject to several rejections under 35 U.S.C. Section 103(a). Claims 22-23 were also provisionally rejected under the judicially created doctrine of obviousness-type double patenting.

II. The 35 U.S.C. Section 112 Rejections.

Claims 22 and 27 have been amended as suggested to eliminate the 35 U.S.C. Section 112, second paragraph rejections surrounding the use of the term "capable".

Claim 22 has been amended in response to the 35 U.S.C. Section 112, second paragraph rejection thereof to specify that the rinsing in step (c) is done with tap water.

Claim 27 has been amended in response to the 35 U.S.C. Section 112, second paragraph rejection thereof surrounding the "cleaning solution".

III. The 35 U.S.C. Section 103 Rejections.

A. Claims 22-23 and 25-26.

Claims 22, 23 and 25-26 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over PCT Publication WO 01/05920, Aubay, et al. in view of PCT Publication WO 98/01223 in the name of Yeiser.

The Office Action states that it would have been obvious to a person of ordinary skill in the art to have modified the method of Aubay, et al. to include the sprayer of Yeiser having an ion exchange resin, for the purposes of purifying the water used for rinsing of the vehicles.

The Applicants respectfully request that this rejection be withdrawn. As set out in the attached Declaration of Mr. Phillip K. Vinson, one skilled in the art would not have combined the teachings of the Aubay, et al. and Yeiser references as of the filing date of the above application because Yeiser is directed to removing water spots from a hydrophobic surface, and the Aubay, et al. reference teaches a diametrically opposed solution to the same problem – rendering the surface hydrophilic so that water spots are not able to be

formed on the surface. One of ordinary skill in the art would only be motivated to use one of these methods to eliminate spotting on a surface.

B. Claim 27.

Claim 27 was rejected under 35 U.S.C. Section 103(a) as being unpatentable over PCT Publication WO 01/05920, Aubay, et al. in view of PCT Publication WO 98/01223 issued to Yeiser, and further in view of U.S. Patent 5,595,345 issued to Chura, et al.

The Office Action states that Aubay, et al. teach the invention substantially as claimed with the exception of rinsing the vehicles with tap water followed by purified rinse water. The Office Action acknowledges that Aubay, et al. further fail to teach a spray device having a water purifier and a valving system. The Office Action states, however, that it would have been obvious to a person of ordinary skill in the art to have modified the method of Aubay, et al. to include the sprayer of Yeiser for purposes of purifying the water used for rinsing of vehicles. The Office Action also states that it would have been obvious to have modified the method of Aubay, et al., to include a sprayer having a valving system as taught by Chura, et al. for purposes of selectively spraying the cleaning or rinsing solutions onto the surface in a convenient manner.

The Applicants respectfully request that this rejection be withdrawn. As set out above, one skilled in the art would not have combined the teachings of the Aubay, et al. and Yeiser references. Therefore, the combination of references used in the rejection is not proper, and the rejection should be reconsidered and withdrawn.

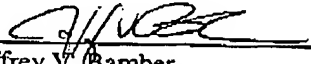
IV. The Double Patenting Rejection.

The Applicants will consider submitting a terminal disclaimer when allowable subject matter is indicated.

V. Summary.

All of the rejections have been addressed. A Notice of Allowance is respectfully requested.

Respectfully submitted,
BRUCE BARGER, ET AL.

By 
Jeffrey V. Gamber
Attorney for Applicant(s)
Registration No. 31,148
(513) 627-4597

January 22, 2004
Customer No. 27752
871 IRR Amendment 1-2004.doc